



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF CHIROPRACTIC DISCIPLINARY SUBCOMMITTEE MEETING MINUTES OF NOVEMBER 13, 2007

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Chiropractic Disciplinary Subcommittee met in regular session on November 13, 2007 at the Ottawa Building, 611 W. Ottawa, Conference Room 4, Upper Level Parking, Lansing, Michigan.

CALL TO ORDER

Clifford Flood, Public Member, Chairperson called the meeting to order at 10:25 a.m.

ROLL CALL

Members Present:

Jeffrey Eisman, D.C.
Patricia Odette, D.C.
Patricia Chelenyak, D.C.
Clifford Flood, Public Member, Chairperson

Members Absent:

Michael Morse, Public Member

Staff Present:

Bonnie Curtis, Secretary
Lidia McGee, Analyst, Enforcement Section
Michelle Wagner-Gutkowski, Attorney General's Office
(left 11:11 a.m.)
Merry Rosenberg, Attorney General's Office
Harris Howard, Attorney General's Office
Robert Miller, Manager, Enforcement Section

Others Present:

Solomon Cogan, D.C.
Gary McLeod, D.C. (left 10:47 a.m.)
Robert Moore, D.C.
Michelle Moore
Richard Kraus, representing Robert Moore, D.C.

APPROVAL OF MINUTES

MOTION by Chelenyak, seconded by Odette, to approve the minutes of the September 11, 2007 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

Motion by Chelenyak, seconded by Eisman, to approve the agenda as presented.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

JAMES ALAN SMITH, D.C. – CONSENT ORDER AND STIPULATION

Motion by Chelenyak, seconded by Eisman, to accept the Consent Order and Stipulation, in the matter of James Alan Smith, D.C.

Discussion followed.

Motion withdrawn.

Motion by Chelenyak, seconded by Eisman, to reject the Consent Order and Stipulation and make a counteroffer of the following, in the matter of James Alan Smith, D.C.:

Respondent shall be placed on probation for a minimum period of thirty (30) days and until he completes the terms and conditions as follows:

- 1) Respondent shall complete twelve (12) hours of community service to be pre-approved by the disciplinary subcommittee chairperson or designee.
- 2) Respondent shall successfully pass the examination in ethics and boundaries given by the NBCE or complete six (6) hours of continuing education (CE) in the area of ethics and boundaries to be pre-approved by the disciplinary subcommittee chairperson or designee. This course shall be in person (not on-line) and will not count toward license renewal.

Respondent's period of probation shall not exceed six (6) months.

Additionally, Respondent is assessed a fine of \$250.00 payable within ninety (90) days of the effective date of the Order.

A roll call vote followed: Yeas – Chelenyak, Eisman, Odette and Flood

MOTION PREVAILED

Flood recessed the meeting at 11:11 a.m.

Flood called the meeting to order at 11:18 a.m.

ROBERT MOORE, D.C. – PROPOSAL FOR DECISION

Motion by Chelenyak, seconded by Odette, to accept the Proposal for Decision, in the matter of Robert Moore, D.C.

Discussion followed.

Motion by Eisman, seconded by Odette, to table until the January meeting the matter of Robert Moore, D.C.

MOTION PREVAILED

PUBLIC COMMENT

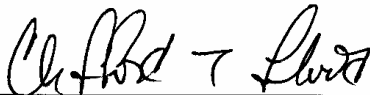
Cogan stated that the disciplinary subcommittee had a tremendous amount of reading to do regarding the Moore case and thanked them for tabling the matter until January to allow them more time to consider the case.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on January 8, 2008 at the Ottawa Building, 611 W. Ottawa, Conference Room 4, Upper Level Parking, Lansing, Michigan.

ADJOURNMENT

Motion by Chelenyak, seconded by Eisman, to adjourn the meeting at 12:00 p.m.



Clifford Flood, Public Member, Chairperson

1-08-08

Date Minutes Approved



Bonnie Curtis, Secretary

11-13-07

Date Minutes Prepared